

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
NOVEMBER 18, 2010**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Alderman Osborne, followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of City Council Meeting of November 4, 2010, the Summary Minutes of the City Council Workshop and City Manager's Briefing of November 4, 2010, the Summary Minutes of the Budget Retreat November 1 & 2, 2010, the Summary Minutes of the Budget Retreat November 8 & 9, 2010 were approved upon motion by Alderman Johnson, seconded by Alderman Sprague and carried.

PRESENT: Mayor Otis S. Johnson, Presiding
Mayor Pro-Tem Edna B. Jackson
Alderman Tony Thomas, Chairman of Council
Alderman Van Johnson, II, Vice-Chairman of Council, Aldermen Larry Stuber, Clifton Jones, Jeff Felser, Mary Osborne and Mary Ellen Sprague

Acting City Manager Rochelle S. Toney
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

Upon motion of Alderman Johnson, seconded by Alderman Sprague, approval was given for the Mayor to sign an affidavit and resolution for an Executive Session held today to discuss issues of land acquisition, where no votes were taken (SEE RESOLUTIONS).

PRESENTATIONS

There was an appearance by Savannah State University Homecoming Committee Co-chairs Bonita Bradley and LaSonya Stovall, to request a permit for the Homecoming Parade on November 20, 2010. On behalf of the new President Dr. Yarborough, student Shed Dawson stated this year, they are celebrating 120 years in the City of Savannah. Mr. Dawson introduced other students Monica Jenkins, Shawn Tralley, Marcus Bailey, and Ms. Bagley. This year was a busy year on campus with the addition of the the Social Science Building and cafeteria. A new stadium, student center and residence hall is being built. Also, to be good neighbors a new retention pond is being built. Savannah State University will always work with the City to help create a better community. He thanked the Mayor and Council for all the years of support; and they presented Council with a few items from the school. Alderman Jones extended his congratulations to the Tigers for their recent win. Alderman Jackson complimented Shed Dawson and Marcus Bailey for their outstanding leadership roles. Alderman Johnson stated the best thing about Savannah State was it was never about athletics; it's about building student's character. Upon motion by Alderman Jackson, seconded by Alderman Johnson, and carried, the parade permit was approved.

Each year young people are asked to submit essays for the Mayo's Dollar Wise Contest. Alderman Johnson acknowledged Savannah Youth Council Coordinator Carliss Bates. Also he reported that since 2007, the Neighborhood Improvement Association sponsored the annual essay contest; this year, due to the economy issues, the Mayor's Office totally supported this project. In October, 41-members participated in the Dollar Wise Contest and financial work shop. The winners will also join Council in Denver at the National League of Cities Conference. Each winner read their essay. The 3rd place winner was Victoria Coles of Notre Dame Academy; the 2nd place was SaVannah Jackson of Coastal Middle School; and the 1st place winner was Imari Bryant of Coastal Middle School. Mayor Johnson presented each winner with a savings bond.

LEGISLATIVE REPORTS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Johnson, seconded by Alderman Sprague and carried, they were approved:

ALCOHOL BEVERAGES LICENSE HEARING

Felichia Lalsee t/a Club Rain Savannah, requesting to transfer a liquor, beer and wine (drink) license from Amanda Rushing at 7-9 W. Bay Street, which is located between Bull and Whitaker Streets in District 1. (Continued from October 21, 2010.)

Sharon Scott d/b/a Sharon's Lounge, requesting to transfer a liquor, beer and wine (drink) license from Abraham Scott at 618 Montgomery Street, which is located between Hall and Lorch Streets in District 2.

REPORTS

Budget Hearing: A hearing to present information and receive comments concerning the proposed 2011 Service Program and Budget.

Acting City Manager Rochelle Small-Toney presented the budget to Council. She stated it had been a "challenging" budget given the economic conditions. The Council had authorized a 13 millage rate and it has been rolled back to 12.5 as well as a 2% general wage increase for all employees, effective January 1, 2011. The guiding principles of the Budget/Financial Team were: City Council Priority Areas, Employee Pay, Public Safety, Overall Efficiencies, and Long-Term Financial Stability. Strategies were: 1) Elimination of PSI with a review mid-year for the possibility of re-instating it. 2) Early Retirement Program – It is strictly volunteer; positions can be filled or removed. 3) Efficiencies in Service Delivery – will continue. 4) Reorganization. 5) Furlough days – is designed for a short-term problem. 6) Outsourcing - not at this time, but will continue to evaluate. 7) Reduction of 55 employees – will not eliminate unless they voluntarily do so. Cross-train individuals and retirement will help with this. 8) No fee increases – However, water and sewer will be increased \$1.65. The challenges for this budget are: 6.7 million dollar decrease in tax revenue; decline in the sales tax of 2.3 million dollars; assumed that the assessed value will decline by 4.1% in 2011; assumed a 12.5 mill rate – tax payers will pay 4.1 million dollars less than they did in 2010. Staff looked at this as an opportunity, not doom and gloom. Recommendations of City Manager: 1) Roll back millage rate from 13 to 12.5 as directed by City Council. 2) No use of Sales Tax Stabilization Fund or General Fund Fund Balance. 3) 2% COLA as directed by City Council and eliminating PSI. 4) Enhance Comprehensive Benefit Program. 5) Temporary Retirement Incentive Program. 6) Restructuring and reorganization to gain efficiencies and cost savings. 7) Very modest water and sewer rate increase to maintain planned capital improvements. 8) Updated capital improvements plan for the five-year period of 2011 – 2015. At this time Ms. Tony recommended Council approve the recommended budget.

Public Comments:

George Joyner, Lillian Hayward, Michael Jarama, Charles Brazil, Justin Cruise, Amanda Kolski, Nicole Baker, Rene Lavintis, and Jody Schieser spoke to Council about their concerns of the reorganization of the Film and Tourism Office.

SDRA Board Chairman Phillip Cooper, George Joyner, John Neeley, Jerry Lominak, and Danny Chase spoke with their concerns of the budget cuts to SDRA.

Dale Ford spoke to Council with her concerns of the city parks being left under the direction of Park and Tree Department.

Mayor Johnson told the public that the Film Commission is made up of 19-individuals appointed by the City Council, to give advice to the City on how to maximize its opportunity in the film industry. Currently, there is a department of film and tourism inside the bureaucracy of the City. These two are separate – is made up of 19-individuals

appointed by the City Council, to give advice to the City on how to maximize its opportunity in the film industry. The people in that department, in the past, reported to the City Manager. There is a recommendation in the budget to separate tourism and put it in another area of the City's bureaucracy; and to take the staff of the film and putting it in another department. There is no movement to abolish the film commission; there is no movement to lessen the effectiveness of those who have been working in that department. Mayor Johnson stated he wanted it on the record so that it can be clear that the City Council is not abolishing the film commission and be clear of the role of the film commission and be clear of the place of the employees in the City bureaucracy. The Charter of the City of Savannah gives the power to organize the bureaucracy to the City Manager. The Council hires the City Manager, the City Attorney, and the City Clerk; everyone else works under the direction of the City Manager, and that is the law.

Upon motion of Alderman Osborne, seconded by Alderman Johnson, and carried, the Public Hearing was closed.

Alderman Felser stated the Mayor's comments explaining the film commission was very well stated and deserved because there was a lot of mis-information about the film commission. However, he stated he must respectfully disagree with one of the Mayor's conclusions with regards that restricting would do no harm. Earlier that day in the work shop, he stated he spoke as passionately and with as much common sense as possible about what is at risk. He stated he wanted it to go on record that he believed that it is part of their job to address their priorities and policy making; then it is up to the City Manager to implement. In doing so, one of their priorities is economic development. He stated one thing that came to his mind in the economic down-year is "to do no harm." Although it is a physician's motto it is good for the public to apply it as well. He also stated that one thing the City Manager said was to concentrate on long-term financial stability. He said he was "very against" the film office not being a stand-alone, adequately staffed department – by itself. He said he did not believe it belonged in leisure services; it is sending the wrong message and it is the wrong time – during an economic downturn for the City to be performing an unnecessary experiment which places one of the most important economic engines at risk. Please do no harm. For approximately two-hundred and eighteen to two-hundred and twenty five thousand dollars, it is a very small investment with a major return which has been sighted at over eleven-million dollars. The impact is huge and the detriment could also be huge; it is an experiment not worth engaging in. He stated he spoke with former Alderman Dana Braun who was one of the creators of the film commission and he shared with him his thoughts as to why he felt it should be a stand-alone, adequately staffed department. Alderman Felser stated he wanted to make it clear he had no opposition to the tourism being removed from the film department, because he never understood that position. The film and motion picture industry, here in Savannah is so large, and the number of SCAD permits are so vast and important to the culture and what is growing in Savannah, that one-person cannot adequately handle it; and it is not, in common sense, to be a part of leisure services nor is it common sense to be a part of some type of cultural program. It is an industry of economic development that is making millions of dollars for the City of Savannah. When they come, they want decisions made immediately; they want to be able to move fire and police, and do all the things that a stand-alone office needs to do. It is extremely important that the reorganization and restructure is unnecessary and it performs an experiment that is capable of doing great harm and the City does not need to incur the risk.

At the budget meetings, Alderman Thomas and he (Alderman Felser), spoke about Savannah Development Renewal Authority, and although this day he was speaking only for himself, he stated he thought the cuts proposed by the City Manager in the budget is undue, unjust, and effectively an undoing of SDRA, which has not been substantiated by the data. If they were going to reach such a conclusion, they should have been doing some data calculation and collection earlier in 2010, and they should have been given a memorandum or notice that the City was unhappy or that they had unsatisfactorily performed their duties. As far as he knows, none of that ever took place and instead they were handed a budget where they are being cut 67%, and all the other agencies are being cut across the board at a more reasonable percentage. SDRA also involves economic development. It is their priority and they have to speak out; he felt it was his duty to

Speak out. Public safety, economic development, and quality of life is the reason he is on Council and he does not believe he can support that type of gutting of SDRA nor of the film office, in and of itself. Those two things endanger the tripod that he was speaking of – of public safety, economic development, and quality of life in Savannah.

Alderman Jones stated, as he said earlier in the day, they had talked about the film office, and he did not recall saying much about SDRA, but his concerns were, and he didn't know if they could be supplied the answer to the question, but both of these offices have missions and requirements; and what he was interested in knowing is – is the level of service that they are providing now will be maintained. In the area of SDRA, it is his opinion that the cut is too deep, and he did not know the level of work that they are engaged in at this time and he did not know if the work would diminish or increase; however, all of Council needed to know whether or not, at this particular time of the budget consideration, that the budget is being decreased six-million dollars. He stated, Council has a lot of issues that concern them and they have the public that is concerned about the various offices. However, in the end, what they need to try to do is maintain the level of service that has been provided to the community and if this will continue, then he proposed going forward with the budget. However, without the knowledge that they can come close to doing the things that they are doing now, he did not think it was an appropriate budget at this time because Council has not had those explanations.

Alderman Sprague stated she agreed with Alderman Felser in that the film office is very important to the community. However, she felt the City Manager has the prerogative to run her departments as she see fit. The Council has been told that the film office services will not be diminished in any way, shape, or form; and it is incumbent on her to make that stick. The perception is that the roles will be diminished because they no longer report to her; it is still a vital and important role for the City. She stated the City Manager is going to be encouraging to the film office as she possibly can and that everything that has already taken place in the past, will take place in the future. In terms of Park and Tree, she stated they do a fantastic job and that they have not performed as well because the demands have become greater and greater. The City Manager has assured that by the restructuring, they will get more resources and that the City parks and Victory Drive will look better. Therefore, again she is incumbent on the City Manager to do what she has told them she will do, and that she is confident that she will. In terms of the budget itself, Alderman Sprague stated she has gotten “beaten up” for the 2% raise and that the employees have not received a raise in 3-years, therefore she supports the 2% increase. It is not on the backs of the taxpayers; the millage rate is going down from 13 to 12.5; and property taxes are going down 4.1 million dollars. Therefore, the City is not taxing people to give the 2% raise.

Alderman Osborne stated she wanted to clarify the term “cutting.” The positions that are being vacated by early retirement are being incentivized by take-out monies in lump sums and no one will be forced to retire – it is strictly a voluntary situation. Therefore, she urged all to not look at the terms cutting as someone losing their job because they are being fired, it is going to be a process where people will be trained for positions that are vacant. Also, verbiage and terminology means so much and means different things to different people. The budget is being cut, not personnel.

Alderman Jones stated it is a reduction in force through attrition. No one is being compelled to leave. In the end, if it is necessary to reduce, and no one retires, then someone will be forced to move; if the job is cut and the position is no longer needed, then that person will no longer be an employee of the City of Savannah and that is just reality.

Alderman Jackson stated as the City Manager requests the merging of departments; there is a re-tooling of the workers so that one department will have answers where in the past there were two or three different people working in different areas. That is one of the things she knows is being proposed and the other being the issue with the film commission. She thanked Mayor Johnson for his explanation of the film commission. The City Manager told her that the staff is there; and the rumor mill gave some misinformation. The City Manager told the Council that Park and Tree is a department that is currently under Leisure Services and it will remain there. What is being added to the

budget, and a big part of it is coming from the tourism side, coupled with sanitation, park and tree, etc., is to give a direct, specific, and continuous focus to the downtown area. The downtown area would be River, Bay, Broughton, MLK, and Montgomery. The focus is on maintenance, upkeep, and cleanliness of these areas. Prior to this change, there were 4 or 5-different departments responsible for different areas of this defined area. Therefore, no one was accountable and when walking down River Street or any of the mentioned streets, you see trash cans overflowing, dirty streets, sprouts of new trees growing out of the tree-well. These are the kinds of things that they are working on and by restructuring; one area will be accountable under one particular department and will bring the resources together and work with the businesses, as well as the tree commission and volunteers. It is the intent to give beautification and new definition.

Alderman Thomas thanked the Council for their comments because he shared many of their concerns and opinions. However, he pointed out some things that had not been said. The City, in spite of having to make cutbacks, is in far greater shape than any of the other cities within a drive. Augusta, GA's entire workforce salaries have been reduced, 30-people will be terminated, and they are facing shortcuts across the board. Charleston, SC, Macon, GA, Atlanta, GA, Jacksonville and Orlando, FL were examples of what the economy has done to the cities. Rest assured, when the State Government makes their cuts next year, it will impact the communities more. He stated this is not a short-term fix; it is something that they will need to get used to in the budgeting process and the importance of "leaning-down" the organization. Rochelle Small-Toney who is the Acting City Manager, has been attacked and vilified over the budget. He stated he had seen the emails, he had received phone calls, and he heard the hushed rumors that have circulated. He said the one thing that she has done is exposed a budget that was heavy with fat with vacancies that were being used in the past to balance the budgets of the past; it can't be denied. There were approximately 100 vacancies that were not filled, but the salaries were being used just as if a warm body was in those positions, so that the budgets came in – they looked balanced and everyone was happy with it. That in itself is a success with this budget - that the budget has been trimmed down and the money saved for the tax payers. He stated within the last 12-years that he has been on Council; this is the most difficult budget they have ever worked on. He said he wanted to commend Alderman Felser for stepping up to the plate in a dissenting position. As the Mayor said, there is a Charter that governs the City and the Council has to follow that Charter. They hire 3-people; the City Manager hires everyone else. The Council can make their intentions known to the City Manager and hope that the Manger uses their recommendations for planning or they can take the ultimate task and fire the City Manager; and they are not going to do that. He stated he had said it before, the Film Office is a strategic marketing tool for the City that cannot be denied. When watching a big-screened movies, filmed in Savannah, there is no better advertisement for the City. Every time Forest Gump is played, it is Savannah, Savannah, Savannah. There is a long history of doing movies in the community that have showcased the community, and the movies have made Savannah a beautiful city to the rest of the world and that is what has inspired millions of people to take the journey to Savannah every year. He stated he did not feel that because the department is going to go under Joe Shearouse, that it will lose its luster because of being in Leisure Services. The focus should not be lost because of the bureau it is under. The key to making the government and City better is public input and he applauded them for it. The film department is strategic and important and the City Manager knows the Council has expectations and they do not want the focus on film lost. After the move, there will still be a good film office. He stated his opinions were different on Park and Tree. The squares are in the worse shape that he remembers in his lifetime. Victory Drive is a monument, a war monument and was once a postcard and now it is barren and mud was sitting in the middle of the median. The azaleas were once on the cover of magazines and now it is an embarrassment. Savannah is one of the most beautiful cities in the world and those medians should not look that badly. He said Mrs. Thorpe said it was political; and if it was political they needed to find out where the politics are and take it to the media. He said he was the appointed Council Member to SDRA and the first time he saw the cuts to SDRA, he was in the budget workshops with the rest of Council. He expressed his views in the workshop therefore he is not going to repeat it. However, before creating new organizations, they should look at what they already have and re-evaluate. If there is a need to re-tool, then re-tool; if there is a need to re-infiltrate with money and personnel, then do so; but not create something already in

place or can be fixed. Alderman Thomas stated there was an enormous amount of drainage in the budget, going to 2-focus districts; this is a success. Where Savannah sits with the challenges is a lot better than where other cities sit; and this is because Savannah has smart staff. The staff is critical and a lot of cities have lost their people due to funding issues. He stated he applauded what was taking place and he thanked Council and staff. Alderman Osborne stated Savannah was in good shape compared to others and always be thankful for that.

Alderman Johnson stated he had been in Newark, NJ and 150 police officers had lost their jobs. Everyone is doing a great job and things could stay as they are, but it comes with a cost. Adversity makes one stronger and it made everyone realize that our government, in Savannah, is huge and functionally inefficient. It could work better and there was no secret, cuts needed to be made and it was going to hurt. Council gave a directive to the City Manager to make it happen and priorities were: raises for the employees and bring back the .5 mills. She did exactly what Council asked her to do, and she was surgical with it. It was time to right-size the City government and where ever the cuts are, it will hurt. A decision will have to be made at some point and some people are not going to be happy. As for the Film Department, the same funds will still be afforded for the same purpose. The only difference is there will be more staff to assist in the process. The City is handing out monies to different organizations and it's time to bring it all together and make sure it is much more coordinated.

Alderman Stuber thanked the City Manager and staff. He stated this was his 3rd year and the Council participated in the budget hearings more this year than the other 2. The present budget is a reflection of that input. There were 3 – 4 days of substantial discussion and he thanked the City Manager and the staff for looking at a millage rate of 12, and he looked forward to a mid-year review. He also stated that Council could not take away the prerogative of the City Manager to manage 2,500 people. She needs to be trusted to make adjustments where she sees fit. He stated he had no problem voting on the budget based on the City Manager's recommendations.

Mayor Johnson stated there will be one more public hearing before the budget is passed.

PETITIONS

Ramsey Khalidi for Ramsey Khalidi, LLC – Petition 12612, requested that the City quit-claim the unopened portions of King Street and Darling Street lying east of Hopper Street adjacent to his property at 2 Alfred Street (PIN 2-0628-07-009), 19 Hopper Street (2-0628-07-010), 34 Hopper Street (2-0628-07-011), and 145 Hopper Street (2-0628-07-012). Both streets dead-end inside the petitioner's business premises and are currently used and maintained by Mr. Khalidi. The unopened portion of Darling Street is used for access and parking; the King Street right-of-way is fenced off along the east side of Hopper Street and incorporated into the petitioner's property. Ramsey Khalidi, LLC, is the owner of all the adjoining parcels. Water Resources and Public Works, Sanitation, Park and Tree, and Development Services reviewed the petition and do not have any objections to declaring the Darling and King Street rights-of-way surplus to the needs of the City. However, since the unopened rights-of-way provide access to an existing drainage easement (ditch) across the petitioner's property, Mr. Khalidi has agreed to grant the City a 20' easement for access, maintenance and operation of the drainage structure and has obtained a survey documenting the location of the drainage line and easement. Council deferred consideration of the petition pending further information. The petitioner does not have plans to change the use of the property. The King Street right-of-way is fenced in with the petitioner's property and used for storage. The Darling Street right-of-way is used for parking adjoining the entrance to the property. There will not be changes in the type or amount of traffic into the business site. The President of the Woodville Neighborhood Association does not oppose the requested use of the right-of-way. Recommend declaring surplus those portions of unopened King Street and Darling Street lying east of Hopper Street in order to offer this portion of the right-of-way to the adjacent property owner. The petitioner is willing to pay a fair price for the unopened streets, equal to the assessed value of the adjacent parcels less survey costs. Deferred from October 21, 2010.) Alderman Johnson made the motion to accept the petition, seconded by Alderman Felser, and carried.

The President of Woodvill Neighborhood Association stated they had no objections to the petition, but did request some type of buffering and request he remove the tractor trailer to help do away with the blight.

Alderman Osborne made a motion to amend the motion to add 180 days for the petitioner to add buffering, seconded by Alderman Felser and carried.

Attorney Jennifer Sawyer for Food Lion, LLC – Petition 13002, requested the termination and release of an unused 20’ drainage easement across the property at 2208 E. DeRenne Avenue, PIN 2-0137-03-060, as recorded in Book 98U, Page 179, and Plat Book U, Page 215. City staff has confirmed that the easement is no longer used by the City and that drainage issues are adequately addressed by a privately maintained easement shown on the Minor Subdivision Plat recorded September 1, 2010, in Plat Book 42S, Page 25. (See “RESOLUTIONS”).

Upon motion by Alderman Johnson, seconded by Alderman Thomas and carried, the requests were granted.

ORDINANCES

Ordinance read for the first time in Council November 18, 2010, read a second time, placed upon its passage, adopted and approved upon motion of Alderman Osborne, seconded by Alderman Sprague, and carried.

First and Second Readings

Parking Prohibition and One Way Traffic - E. 61st and E. 62nd Streets. An ordinance to prohibit parking on the north side of E. 61st Street between Habersham Street and Abercorn Street, and to designate E. 62nd Street between Abercorn Street and Habersham Street as one-way westbound. Traffic Engineering investigated the area of recently renovated SCAD housing on Abercorn Street, and determined that these changes are needed due to dramatically increased on street parking. (Traffic Engineering Report approved November 4, 2010.)

AN ORDINANCE **To Be Entitled**

AN ORDINANCE TO AMEND APPENDIX I, SECTION 219 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1091 OF SAID CODE TO PROVIDE THAT THE STREET NAMED HEREIN SHALL PROHIBIT STOPPING, STANDING AND PARKING AT ALL TIMES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND, FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 219 of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1091 of said Code, as amended, shall be amended by adding thereto the following:

AMEND SECTION 219 STOPPING, STANDING AND PARKING PROHIBITED AT ALL TIMES TO INCLUDE:

EAST 61ST STREET

On the north side of East 61st Street between Habersham Street and Abercorn Street.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED NOVEMBER 18, 2010.

RESOLUTIONS

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 18th day of November, 2010 the Council entered into a closed session for the purpose of discussing personnel. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 18TH DAY OF NOVEMBER, 2010 UPON
MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN SPRAGUE,
AND CARRIED

Quit Claim Deed and Termination and Release of Easement – Food Lion, LLC. A resolution to authorize the Acting City Manager to execute a Quit Claim Deed and Termination and Release of Easement vacating and releasing any interest in an unused 20' drainage easement across the property at 2208 E. DeRenne Avenue, PIN 2-0137-03-060, as recorded in Book 98U, Page 179, and Plat Book U, Page 215. City staff has confirmed that the easement is no longer used by the City and that drainage issues are adequately addressed by a privately maintained easement shown on the Minor Subdivision Plat recorded September 1, 2010, in Plat Book 42S, Page 25. (See Petition 13002.) Upon motion of Alderman Johnson, seconded by Alderman Thomas, and carried.

Dean Forest Landfill Easement - Georgia Power Company. A resolution authorizing the City Manager to sign the document granting an easement to Georgia Power Company for the relocation of power lines and poles and the installation of a transformer on and across City property located at the Dean Forest Landfill, 1327 Dean Forest Road, PIN 2-0990-01-009. The new lines, poles and transformer are required in order for the City to proceed with planned improvements to the Refuse Disposal Administration Building and the installation of a new truck scale on the premises. The easement document has been reviewed by the City Attorney. Upon motion of Alderman Johnson, seconded by Alderman Thomas, and carried.

MISCELLANEOUS ITEMS

City of Savannah Mission and Value Statements. During the last several months, many City employees engaged in a process to develop Mission and Value statements. The process was designed to solicit input from various levels of employees throughout the organization and across bureau lines. If approved by City Council, the following Mission and Value Statements will be incorporated into City business cards, letter heads and other communication materials:

Mission: The Mission of the City of Savannah, Georgia is to provide exceptionally responsive and accessible municipal services.

Value Statements: Motivated Workforce - Our employees are at the center of City of Savannah's heart and character. History & Culture - We value our City's unique history, heritage, and cultural diversity.

Supportive Partners - We will continually develop and support partnerships to help build a vibrant community.

Safe Environment - We will promote stewardship of resources through environmentally friendly practices.

Accountability - We will demonstrate fiscal accountability.

Customers - We are committed to providing excellent customer service.

Reschedule January 27, 2011 City Council Meeting. Recommend that the City Council meeting of January 27, 2011 be rescheduled to Wednesday, January 26, 2011 to allow for City Council's participation in Savannah Day in Atlanta on January 27, 2011.

Upon motion of Alderman Jackson, seconded by Alderman Thomas, and carried, these items were approved.

Upon motion of Alderman Thomas, seconded by Alderman Felser, and carried, the following **bids, contracts and agreements** were approved:

BIDS, CONTRACTS AND AGREEMENTS

Motorola Service Contract – Requisition No. 10196935. Approval to procure a Motorola service contract for a period of six months from Motorola in the amount of \$62,538.78. The contract will be used by the Mobile Radio Shop to provide infrastructure repair, technical support services and on-site response for police dispatch and operator positions. Motorola is the sole provider for this radio system equipment and service. Chatham County pays half of the cost. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Internal Service Fund/Information Technology/Equipment Maintenance (Account No. 611-1140-51251).

Storm Sewer Cleaning – Annual Contract - Bid No. 10.247. Approval to award an annual contingency contract for storm sewer cleaning from Southeast Pipe Survey in the amount of \$153,250.00. The cleaning services will be used by the Stormwater Management Department in the event additional labor and equipment is needed. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, General Fund/Stormwater Management/Other Contractual Services (Account No. 101-2104-51295).

Bull Street Fire Station 5 Phase I Demolition – Bid No. 10.245. Approval to procure construction and demolition services for Bull Street Fire Station 5 at 1601 Bull Street from The Pinyan Company in the amount of \$83,350.00. The work will include partial demolition and removal of wood and concrete masonry walls, roofing, doors, fixtures, ovens and the building slab. Asbestos abatement will be completed on the roof structure and ovens. Construction work will include enclosure of the existing building including roofing, concrete masonry walls, exterior wall finish and painting. Delivery: 60 Days. Terms: Net-30 Days. Funds are available in the 2010 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/New Fire Stations (Account No. 311-9207-52842).

Office Supplies – Annual Contract – Bid No. 10.220. Awarded an annual contract to procure office supplies from Staples Advantage in the estimated amount of \$411,214.00. This contract will be used by all City departments to procure office supplies, copy paper, office equipment and small furniture items. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2010 Budget, Various Office Supplies Account 51306.

Trailer and Skid Mounted Fire Pumps – One Time Purchase – Bid No. 10.254. Approval to procure fire pumps from Williams Fire & Hazard Control (Items 1-4 & 6-9) in the amount of \$915,959.00 and Thompson Pump & Manufacturing (Item #5) in the amount of \$56,695.00 for a total of \$972,654.00. The pumps will be utilized by Fire and Emergency Services to draw water from the river in order to fight fires on Georgia Port

Authority property or other riverfront locations such as the fuel storage tanks located at Colonial Terminal. These purchases are funded by a federal port security grant. Delivery: 252 Days. Terms: Net-30 Days. Funds are available in the 2010 Budget, Other Federal Grants/ODP Fire Grants/Office, Building Furniture, Equipment /Port Security Grant-GA Tech-SFD (Account No. 212-3117-51520-GT030).

Police Training Facility Lease – 14045 Abercorn Street (Savannah Mall). Approval of two leases with SSF Savannah Properties LLC for adjoining spaces housing the Metropolitan Police Department Training Facility at 14045 Abercorn Street (Savannah Mall). One lease is for 1,605 square feet at a rental rate of \$350.00 per month; the other is for 3,400 square feet at a rental rate of \$750.00 per month. The total rental rate for the combined 5,005 square feet is \$1,100.00 per month (\$13,200.00 per year). The term of the two leases is for one year commencing November 1, 2010 and ending on 11/31/2011.

Uniform Accessories for Savannah-Chatham Metropolitan Police Department – Annual Contract – Bid No. 10.250. Awarded an annual contract to procure uniform accessories from Dana Safety in the amount of \$65,703.15, NAFECO in the amount of \$2,550.00, and Quartermaster, Inc. in the amount of \$5,162.50 for a total amount of \$73,415.56. The uniform accessories will be used by the Savannah-Chatham Metropolitan Police Department to supply badges, collar and shoulder brass as well as leather goods for officers as part as their duty wear. Delivery: As Needed. Terms: Net-30 days. Funds are available in the 2010 Budget, General Fund/SCMPD Support Services/Clothing & Laundry (Account No. 101-4240-51310).

Yard Trimmings Processing Services – Annual Contract Renewal – RFP No. 10.092. Renewed an annual contract to procure yard trimmings processing services from Cowart Mulch in the amount of \$128,000.00. The services will be used by Refuse Disposal to process yard trimmings collected or generated by City operations, and to manage the residuals from these processing operations, in accordance with all applicable laws and regulations. Four proposals were originally received and evaluated. The recommended proposer has 10 years experience with 3 processing facilities, will process materials on a quarterly basis and has extensive equipment to adequately perform the work. Funds are available in the 2010 Budget, Sanitation Operating Funds/Refuse Disposal/Other Contractual Services (Account No. 511-7103-51295).

Pump Repair for Water Reclamation – Annual Contract Renewal – Bid No. 10.282. Renewed an annual contract to procure pump repair from GPM Environmental in the amount of \$45,920.00. The repair services will be used by Water Quality Control for routine repairs to the pumps at the wastewater treatment plants. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Water & Sewer Fund/President Street Plant/Small Plants/Other Contractual Contract Services (Account No. 521-2553/2554-51295).

Trenchless Sewer Line Repair – Annual Contract Renewal – Bid No. 10.295. Renewed an annual contract to procure trenchless sewer line repair services from American Infrastructure Technologies as the primary vendor and from Southeast Pipe Survey as the secondary vendor in the amount of \$2,267,850. The repairs will be used by Sewer Maintenance and Stormwater Management to repair sewer lines using trenchless technology and to perform sewer system cleaning and inspection. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Sewer Line Rehab (Account No. 311-9207-52842).

Safety Shoes – Annual Contract Renewal – RFP No. 10.293. Renewed an annual contract to provide safety shoe services from Boots Unlimited, LLC in the estimated amount of \$54,640.00. This contract provides safety shoes (steel toes) for City employees who are required to wear them. The City pays up to \$80.00 for one pair of shoes per year for eligible City employees. Employees must pay any additional amount over \$80.00. In 2009-2010, approximately 570 pairs of shoes were purchased under this program. A comparison of list prices for equivalent shoes and samples was used to insure that the Boots Unlimited, LLC discount was the best proposal. Delivery: As Needed. Funds are available in the 2010 Budget, Account No. Various 51310.

Brass Water Distribution Fittings – Annual Contract Renewal – Bid No. 10.271. Renewed an annual contract to procure brass water distribution fittings from Delta Municipal Supply for items 1-6, 9-14, 18-20 in the amount of \$115,935.50. The brass fittings will be maintained in inventory at the Central Warehouse and will be used by Water Distribution in the maintenance and repair of water lines throughout the city. The remaining items on this contract are not being awarded at this time because the contractors could not hold pricing. They will be awarded under a separate bid. This is the last available renewal period. Delivery: 1-25 Days. Terms: Net-30 Days. Funds are available in the 2010 Budget, Water & Sewer Fund operating/Water Distribution/Construction Supplies & Materials (Account No. 521-2503-51340).

Supplemental Engineering Services Agreement with URS Corporation Southern – Savannah/Hilton Head International Airport. The Savannah Airport Commission received authorization for a contract with URS Corporation Southern for a not to exceed fee of \$77,980 for engineering services for the Realign McKenna Drive and Construct Acceleration and Deceleration Lanes on Airways Avenue Project. In conjunction with Project X, the Commission will have to make necessary road improvements due to the fact that once the company begins construction of their facilities, it will be necessary to close McKenna Drive. Therefore, the cross and through traffic will be relocated further down Airways Avenue and the Commission will have to construct acceleration and deceleration lanes to accommodate the shift in traffic. URS will prepare the design documents and manage the projects for a not to exceed fee of \$77,980.

Land Lease with Gulfstream Aerospace Corporation – Savannah/Hilton Head International Airport. The Savannah Airport Commission received authorization to enter a land lease agreement with Gulfstream Aerospace Corporation. Gulfstream has requested to lease or have options to lease a total of 159.062 acres of land in the northern quadrant for aviation development. The initial term of the lease shall be for 50 years, with two 10-year renewal options thereafter. The property has been divided into four parcels: Parcel 1: 55.349 acres, Parcel 2: 32.622 acres, Parcel 3: 31.073 acres, Parcel 4: 40.018 acres. Gulfstream will lease Parcel 1 immediately. Parcels 2, 3 and 4 will be held as options. Gulfstream will have 10 years to exercise these expansion options, which will be paid at 10% of the lease value (or \$450 per acre per year). The lease rate for the land is based on a \$45,000 per acre appraised value, which was negotiated prior to the completion of the 2010 appraisal. The parcels to be leased and the lease revenues with options are as follows: Parcel 1: 55.349 acres @ \$4,500 = \$ 249,070.50, Parcel 2: 33.62 acres @ \$450 = \$14,679.90, Parcel 3: 31.073 acres @ \$450 = \$13,982.85, Parcel 4: 40.018 acres @ \$450 = \$18,008.10 - \$295,741.35

Purchase of Wetlands Mitigation Credits – Savannah/Hilton Head International Airport. The Savannah Airport Commission received approval to purchase Wetlands Mitigation Credits. In order to accommodate the construction of Taxiway A and Taxiway H and to mitigate wetlands issues associated with the construction of the taxiways and the construction of facilities for Project X, it is necessary to purchase offsite wetlands mitigation credits. There are only two wetlands mitigation banks that can be used by the Commission for the purchase of these credits today: Millhaven Mitigation Bank and Phinizy Mitigation Bank. The Commission's environmental consultant has estimated the cost of these credits. Actual quotations will be received from each bank within the next two weeks. The Commission is requesting authorization for the purchase of these credits in a not to exceed amount of \$750,000, with immediate approval to place a retainer at each of these banks for the credits. This is a sole-source item since these are the only two banks from which the Commission can purchase the credits today as approved by the Corps of Engineers.

ALCOHOLIC BEVERAGE LICENSE SHOW CAUSE HEARINGS

Roney Liquors. A hearing for Krishnal Patel to show cause why the liquor, beer and wine (package) license for Roney Liquors at 726 W. Oglethorpe Avenue, which is located between Fahm Street and Highway 17-A in District 1, should not be suspended or revoked for repeated violations of the alcoholic beverage laws. The City Attorney has given notice.

City Attorney Blackburn stated this is a hearing for license holder for Roney Liquors, who is Krishnal Patel, to show cause why the license shouldn't be suspended or revoked, because of a continuing pattern of underage sales and the various violations of the law. The police recommended that action be taken on this after several incidents took place. They were given notice to be present and City Attorney stated he received calls from the attorney, contemplating representing Mr. Patel, but he received no response to the show cause letter. Mr. Patel was present and stated his attorney was not present. City Attorney Blackburn stated the request was for a continuance, to allow Mr. Patel to get a different attorney. Mr. Blackburn stated he did not recommend a continuance and Mr. Patel was advised. The reason being this case involves a continuance pattern of package sales to minors by this place. Mayor Johnson asked the date of the infraction. City Attorney stated, for the record, there were 3-different dates; September 18th, October 29th and October 30th of 2010. The cases are still pending in court. The police received complaints of Mr. Patel's place and that this was going on with the students. Attorney Blackburn stated on September 18th, Officer McKoon cited 3 subjects, two 19-year olds and one 20-year old for possession, when he observed them leaving Roney's; he checked them and they indicated to him that they had not been checked at all. October 29th, after this had happened and the 3-cases were made, the officer directed his force to watch the place (Roney's) and put it under surveillance and do the checks. A 17-year old high school student came out and told the officers that everyone in high school knew they could purchase at this place and would not be checked. On October 30th, while still watching the place, non-uniform officers went in and found that nearly everyone was underage. Therefore, the police felt something needed to be done, and the suggestion was to suspend the license. The City Attorney advised the City Manager to suspend the license, because she has the authority to do so; but she has limited authority such as riots or shootings, fights, etc., and not to underage sales. When the last incident happened an administrative hearing was scheduled that Mr. Patel be given notice to show cause so that his due-process rights would be protected before the Council heard the question whether or not to take away a property right.

City Attorney Blackburn asked Mr. Patel if he signed and received a letter from him and did he have an attorney. He stated his mom received the letter and he did have an attorney but he was not present. Attorney Blackburn stated Mr. Patel had asked for a continuance, but since a pattern was being set, that the police found over a period of time, that he (Attorney Blackburn) could not agree to a continuance and that Mr. Patel should be present and be prepared to respond. Attorney Blackburn stated if perhaps they could hear from Mr. Patel the Council could determine what to do. Mr. Patel's place is still open and he had the right to be open and hopefully he was not selling to minors.

Mayor Johnson stated Mr. Patel could state his case, but it was his understanding that there were 3-different incidents and it is a pattern. Attorney Blackburn stated there were 4-incidents. Alderman Jones stated he was of the understanding that Mr. Patel was asking for a continuance. Mayor Johnson stated he would not recommend a continuance; he had sufficient time to get counsel. The last infraction had been 2-weeks ago; therefore, he had time to get counsel. Alderman Johnson stated he did not mind the continuance as long as Mr. Patel was closed during this time. Alderman Jones asked Mr. Patel if he was understanding what was taking place to which he answered yes.

City Attorney Blackburn swore-in Mr. Patel and the officers.

Corporal Williams stated this is a situation with Roney Liquor at 726 W. Oglethorpe Avenue. The police had received complaints that this was a business where one could receive alcohol; the down town special unit put on the operation. On September 18, 2010, Officer McKoon stopped 3-individuals coming out of the store who had purchased alcohol and did not show any identification. On September 24th he cited another individual coming out of the business who was underage. These cases have already been adjudicated in court and the individuals pled guilty. They were then able to justify this place needed to be observed and put on an operation on the 29th of October. This was run for 18:40 hours until 19:40 hours. They utilized 2-plain clothes officers to observe and see if the individuals were underage. Within an hour they had stopped 14-people, and 12 were cited for being underage and all of them told the officers they did not have to show identification. At this time they stopped the operation because some of the individuals

got away because the officers were tied-up with others. That is when they made the decision to go inside and cite Mr. Patel and another employee. Attorney Blackburn pointed out that there were 2 individuals working in the store. Corporal Williams stated on October 31st the officers went back to see if Mr. Patel was checking for identification and they actually stopped 3-individuals that day; this time 2 of them used fake identifications, which were their brother's, and 1 did not have to show any identifications.

Attorney Blackburn asked Lt. Wilson if this was his area and if it was a simple sting-operation. Lt. Wilson stated it was actually a surveillance take-down operation. It was brought to his attention by Sgt. Flood who was the unit supervisor and he granted him the authorization to use plain clothes officers and a take-down unit to conduct the operation. Mr. Blackburn said his letter to Mr. Patel stated the recommendation was made because he was in violation of underage sales without checking for identification. He asked Lt. Wilson if that was a correct statement to which he stated it was; and that on the night of the 29th there were 12 people cited for unlawful possession, which came as a direct results of the sales by Mr. Patel.

Alderman Stuber sated he thought this was the location of a violent crime years ago. A friend of his was shot, and robbed in broad daylight. He asked if there was any record of violent crimes at that site. Lt. Wilson stated there was at least, one homicide that resulted from a robbery at the base of the bridge. Alderman Stuber stated it was not just underage drinking, but also violent crimes in that area.

Alderman Jones asked Mr. Patel if he understood the nature of the business and violations when he sold to minors and underage drinkers. Mr. Patel sated there are so many fake identifications that they can't tell the difference and that some people have international identifications. Alderman Osborne stated international age is the same age; if someone is 21 in England, they are 21 in Savannah. Alderman Jackson stated what she was hearing that there were people not even asked to show identification. Mr. Patel stated he was in the back stockroom and he did not know what was going on. Alderman Osborne stated that he was responsible for the actions of his employees.

Attorney Blackburn stated the officers were present to answer any questions that Council may have. Alderman Thomas asked the officers, when they did the sting and 12 people were cited, if any of them were college students from SCAD; to which they answered they were. Alderman Johnson asked if these were also people who drove across town to be able to by alcohol; to which the offices stated they were. Alderman Jackson asked Mr. Patel if he owned the business and he stated he did. Alderman Thomas asked if his corporation owned any other businesses and he stated no. Alderman Jones asked Mr. Patel if he wanted to speak in his own defense and explain his position in the matter. Mr. Patel stated he understood he made a mistake by selling alcohol to underage drinkers and he wanted to keep his business open. Alderman Johnson stated he had made "14" mistakes. Alderman Thomas stated he could understand if it was 1-mistake, but Mr. Patel had a chronic problem of making mistakes. He told Mr. Patel that they were lucky to catch him before someone bought liquor and killed someone innocent.

Upon motion of Alderman Felser, seconded by Alderman Thomas, and carried the hearing was closed. Upon motion by Alderman Felser, seconded by Alderman Thomas, and carried, the license was revoked effective immediately.

There being no further business, Mayor Johnson declared this meeting of Council adjourned.



Dyanne C. Reese
Clerk of Council